HON'BLE SMT. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No. 14841 of 2007

Date 16-7-2007

Between:
Syed Ameenuddin

……PETITIONER

AND

The Director of Animal Husbandry,
A.P.,
Hyderabad and others.

……..RESPONDENTS

THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No.14841of 2007

ORDER: (per Smt. T.Meena Kumari,J)

The petitioner filed the present writ petition seeking a writ of Mandamus declaring the order passed in O.A. No. 2041 of 2006, dated 24.7.2006 on the file of the A.P. Administrative Tribunal, Hyderabad, as illegal and arbitrary and to set aside the same.

The petitioner was appointed as Attender in the year 1981. Subsequently, he has undergone training under in-service quota for Veterinary Assistants and completed the same in the year 2000. Thereafter, the respondents prepared Veterinary Assistants Training course curriculum. Petitioner alleges that the method of conducting examination is not regulated by any statutory rule. Petitioner thereafter appeared for the examination on 27.4.2000, but, he could not get through the same. Though the respondents again conducted the said test on 18.6.2001, but as the petitioner was unwell, he could not appear for the same. The petitioner then made a representation to the 1st respondent seeking permission to appear for the examination, which was scheduled

to be held in the year 2006. However, the said representation was rejected by the 1st respondent. The Tribunal initially granted interim direction directing the respondents to permit the petitioner to appear for the examination. Pursuant to the said direction, petitioner appeared for the examination. Thereafter, the respondents filed V.M.A. No. 602 of 2006 before the Tribunal seeking vacation of the said order. When the O.A. was taken up for hearing, the Tribunal taking into consideration the fact that the petitioner had committed certain irregularities while appearing for the examination, by the order impugned in this writ petition, dismissed the O.A. and the V.M.A. Hence, the present writ petition.

Learned counsel for the petitioner would contend that the petitioner only has passed tenth class and he has already cleared five blocks of Veterinary Assistant Training successfully. He further submits that as the theory examination is of high standards, he could not complete the same. He further submits that the method of conducting the examination is not regulated by any statutory rule.

Admittedly, the petitioner was given already two chances for clearing the examination. However, in the interest of justice, we deem it proper to give one more chance to the petitioner to clear this examination.

Accordingly, we allow the writ petition and set aside the impugned order. The petitioner is granted one more opportunity as a last chance to clear the Veterinary Assistant Theory Examination. However, this order shall not be treated as a precedent for future cases.

The writ petition is accordingly allowed. No costs.

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(T. MEENA KUMARI,J)

Date: 16th July, 2007

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(G. CHANDRAIAH,J)

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